

# KNOW YOUR RIGHTS:



brought to you by Community Alliance of Tenants and Know Your City

# **KNOW YOUR RIGHTS IS BROUGHT TO YOU BY**

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## **Legal disclaimer**

Nothing in this book should be considered legal advice or a substitute for speaking to a lawyer. If you need more specific information about evictions, please call the Renters' Rights Hotline at 503-288-0130, or visit [www.oregoncat.org](http://www.oregoncat.org).

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**sappi | ideas  
that  
matter**



**Know Your City**  
[knowyourcity.org](http://knowyourcity.org)  
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**Special thanks to all the volunteers and individuals who made this project possible.**

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Hi! I'm a volunteer at the Community Alliance of Tenants, and I'm here to tell you about "Know Your Rights: Don't Get Evicted!"

You can read this comic book from beginning to end, or skip ahead to read about a specific type of eviction.



This is **Candace**. Her rent just went way up, and she can't afford to keep paying while she looks for a new apartment. She is facing **Eviction for Non-Payment of Rent**.

To read Candace's story, turn to **Page 3**.



**Steven** is in a wheelchair, and wasn't able to follow his landlord's request to keep his front doorway clear. Now he is facing a **For Cause Eviction**. His story begins on **Page 9**.



This is the **Hernandez family**. Their apartment needs a few repairs, but the last time they asked a landlord for repairs, they received a **No-Cause Eviction** notice! To read their story, turn to **Page 14**.

Look inside the back cover for a list of resources and phone numbers!

# Evictions

**are scary. But if you know your rights,  
you can feel more powerful as a renter.**

This comic doesn't have heroes or villains. It's about regular people grappling with problems that millions of people face: late rent, broken pipes, finding an affordable apartment. Over 2,500 Oregon tenants call the Renters' Rights Hotline every year with questions about how the eviction process works and what they can do to protect themselves. The stories in this comic come from real life. The Community Alliance of Tenants teamed up with Know Your City to put this book together, so that if you or a loved one ever faces eviction, you'll have an idea of what to do.

**Right now, the eviction process is made worse by anxiety, stress, and confusion about the legal process.** Tenants sometimes avoid their landlord when they know that rent is late, even if the landlord may be willing to work it out. Other tenants worry that if they ask for a repair, a "no-cause" termination notice will soon follow. Many renters don't know that a Termination Notice—the first step in an eviction—is not an official eviction. They don't know that only a judge, and not a landlord, can officially evict a tenant from their home. The good news for renters is that help is out there.

At the Community Alliance of Tenants, we meet many landlords who treat their tenants well, and take great effort to work with tenants to sort through trouble. The key is good documentation and communication. We hope these stories will help Oregon renters to make decisions so that they can stay in their homes, or move out in a way that doesn't make them vulnerable to homelessness. Tenants who are facing an eviction can set themselves up for success by keeping good documentation, properly communicating with their landlords, and knowing their best options.

**Armed with the right information, documentation, and preparation, you should be able to find and keep safer, healthier and more stable rental housing.** We hope this helps!

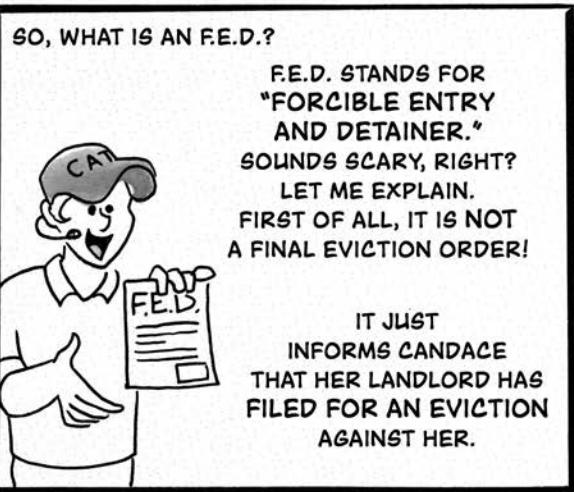
CANDACE IS FACING  
EVICTION FOR NON-PAYMENT OF RENT!

3

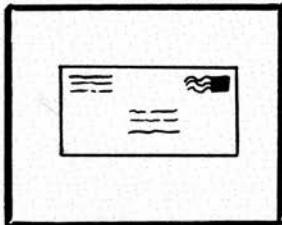


CAT Tip: If rent is more than 7 days late, the landlord can issue a **72-hour notice**. This gives the tenant 72 hours to pay the rent in full before the eviction process begins. If the tenant pays in full during the 72 hour period, the landlord must accept it.

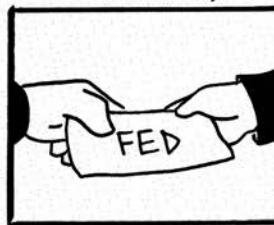
Sample timeline:  
If a tenant's rent is due on the 1st of the month, and the rent isn't paid in full, the landlord could issue the notice on the 8th. If the notice is issued at 10am on the 8th, the rent must be paid by 10am on the 11th.



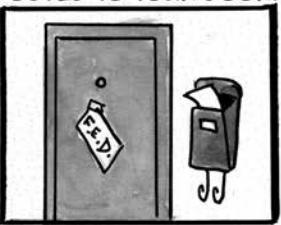
YOU CAN RECEIVE AN F.E.D.  
BY MAIL,



BY HAND,

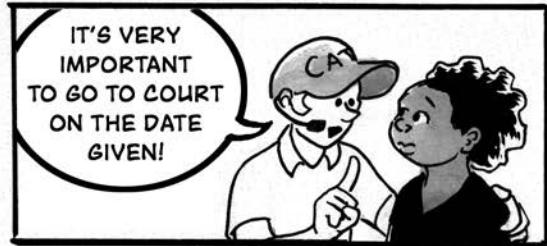
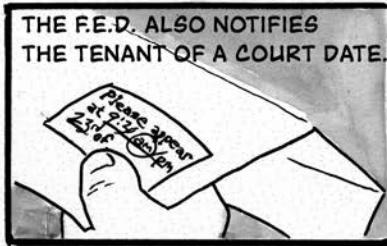


OR MAILED AND POSTED TO YOUR DOOR.



(ALSO KNOWN AS "NAIL AND MAIL")

**CAT Tip:**  
An automatic ruling is called a default. If you're a tenant, and the judge rules against you, you will have to leave your home. It will also show up as an eviction on your record. This can hurt your chance of renting in the future. That's why you must show up to your court date, even if you've already moved, or made an arrangement with the landlord!

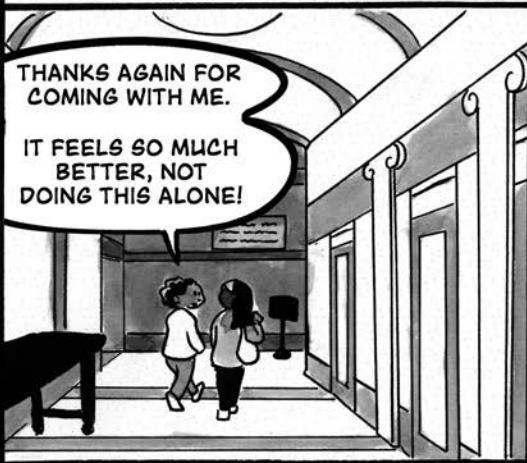


IF YOU CAN, BRING A FRIEND, LAWYER, OR FAMILY MEMBER TO COURT WITH YOU!

THE JUDGE MAKES SURE BOTH CANDACE AND HER LANDLORD ARE PRESENT.

THANKS AGAIN FOR COMING WITH ME.

IT FEELS SO MUCH BETTER, NOT DOING THIS ALONE!



AT THIS TIME, BOTH PARTIES MAY STEP INTO THE HALL AND TRY TO COME TO AN AGREEMENT. I URGE YOU TO WORK TOGETHER TO AVOID A COSTLY TRIAL.

I'VE ALREADY DRAFTED A STIPULATED AGREEMENT, YOUR HONOR. IT'S READY FOR CANDACE TO SIGN.



CAT Tip: A stipulated agreement is a legal contract between a landlord and tenant.

Many landlords keep a blank one on hand, and fill out the tenant's information when they need to. See page 6 for information on stipulated agreements!

I'LL HAVE TO TAKE MY TIME READING THIS. I WANT TO MAKE SURE I UNDERSTAND IT, AND CAN DO EVERYTHING IT SAYS. HOW LONG DO I HAVE TO DECIDE?

YOU HAVE TO DECIDE RIGHT NOW.



Previous or pending evictions can be held against you for up to 5 years.

This means that a landlord can decide not to rent to you for the next 5 years.

Right now, Candace has a pending eviction on her record, because the judge hasn't made a decision yet.

**CAT TIP:**  
If you can't fulfill the stipulated agreement and you feel like you have a good case, you can ask for a trial.

Don't go to trial without a lawyer!

A STIPULATED AGREEMENT IS A CONTRACT BETWEEN THE LANDLORD AND TENANT.



IF BOTH PARTIES SIGN A STIPULATED AGREEMENT, THE EVICTION WILL BE PUT ON HOLD FOR AWHILE (USUALLY 12 MONTHS).

THAT WOULD GIVE ME TIME TO FIND A NEW APARTMENT!

IF YOUR LANDLORD OFFERS YOU AN AGREEMENT TO SIGN, READ IT VERY CAREFULLY. IF YOU SIGN A STIPULATED AGREEMENT, BUT DON'T DO EVERYTHING IT SAYS, YOUR LANDLORD CAN FORCE YOU OUT OF YOUR HOME VERY QUICKLY!



IF YOU BRING A FRIEND, FAMILY MEMBER, OR LAWYER, ASK THEM TO READ IT WITH YOU.

AM I READING THIS RIGHT?  
IT LOOKS LIKE THEY WANT \$800 UP FRONT...



IF THERE IS A SECTION YOU DON'T AGREE WITH, YOU HAVE THE RIGHT TO ASK TO MAKE CHANGES.



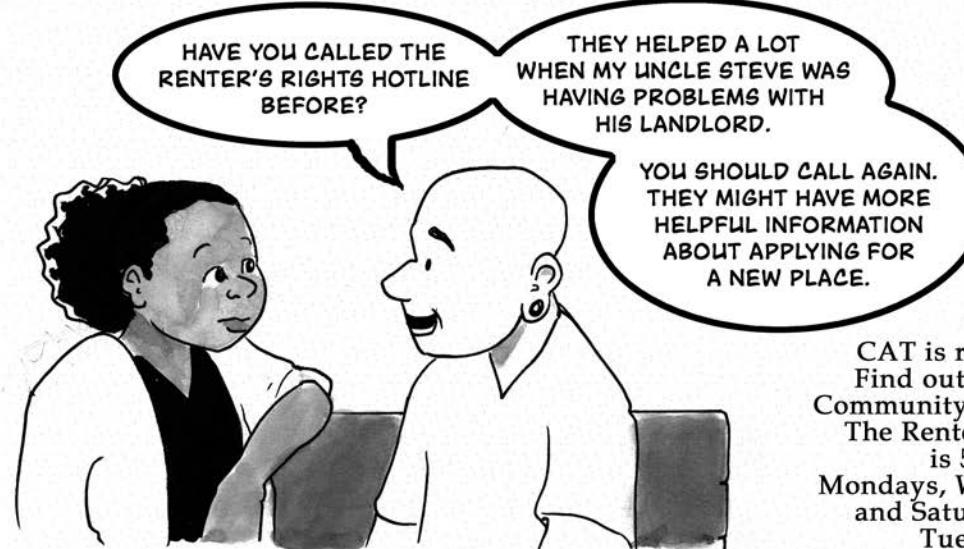
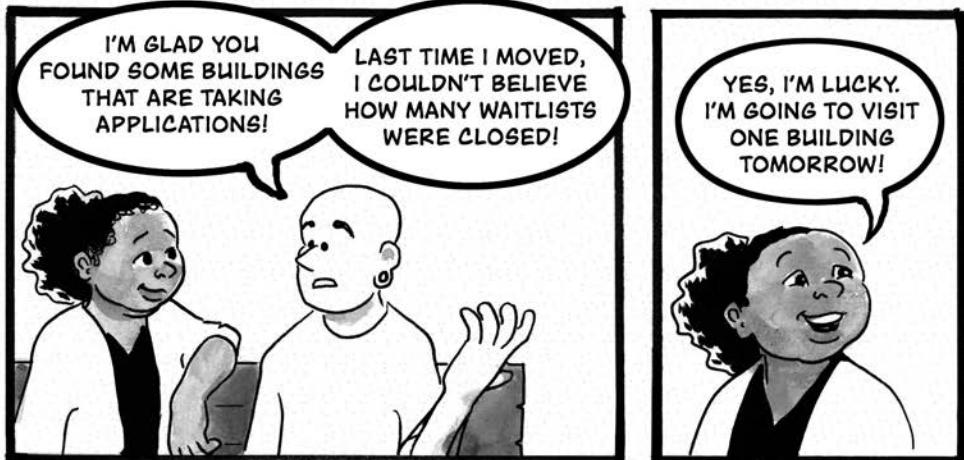
CAN I PAY \$200 ON THE 15TH, AND MAKE MONTHLY PAYMENTS AFTER THAT?



WE CAN AGREE TO THAT.



**CAT Review:**  
An F.E.D. shows that the landlord has filed for an eviction against the tenant. A stipulated agreement is a contract that pauses the eviction process. If this contract is fulfilled, then the eviction is dismissed.



**CAT Tip:**  
CAT is run by volunteers.  
Find out how you can join  
Community Alliance of Tenants!  
The Renter's Rights Hotline  
is 503.288.0130  
Mondays, Wednesdays, Fridays  
and Saturdays 1-5pm, and  
Tuesdays 6-8pm

HI, I'M A RENTER, AND I JUST RECENTLY WENT THROUGH AN EVICTION.



I'M SORRY TO HEAR THAT! ARE YOU CURRENTLY HAVING ANY RENTAL ISSUES?



WELL, I'M LOOKING FOR A NEW PLACE TO LIVE.



I CAN SEND YOU SOME MATERIALS ABOUT RENTER'S RIGHTS. THERE ARE SOME RECENT CHANGES TO LANDLORD TENANT LAW THAT MIGHT BE USEFUL.

**CAT TIP:**  
If you have bad credit, or an eviction on your record, it's best to explain the situation to the landlord up front. That way, the landlord won't be surprised when it turns up on your background check.

If the landlord won't rent to you because of your record, it's best to find that out before you pay an application fee.

A landlord cannot consider a previous eviction that was dismissed, won by the tenant, or older than 5 years.

I RECEIVED YOUR RENTAL APPLICATION, AND THE SCREENING CAME BACK. I SEE AN F.E.D. WAS FILED AGAINST YOU.



I CAN'T RENT TO PEOPLE WHO HAVE AN EVICTION ON THEIR RECORD.



BUT THE EVICTION IS STILL PENDING.

I CAN EXPLAIN. I SIGNED A STIPULATED AGREEMENT, AND AM MAKING PAYMENTS ON TIME...



STEVEN DOESN'T KNOW IT YET, BUT HE'S ABOUT TO FACE A  
FOR-CAUSE EVICTION.

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Renter's Rights Hotline:  
503.288.0130  
Mondays, Wednesdays,  
Fridays and  
Saturdays 1-5pm,  
and Tuesdays 6-8pm





**CAT Tip:**  
When tenants receive a 30 day for cause, they usually have 14 days to fix the problem.

The next six months are treated like a trial period for the tenant to show that they won't cause the same problem again. If the tenant repeats the problem, the landlord may give them a 10-day notice to move out. There is usually no chance to fix the issue again.

**CAT Tip:**  
People with disabilities may have specific housing needs or challenges. Under the Fair Housing Act, tenants have the right to ask their landlord to make rule changes or exceptions to meet their needs. This is referred to as a **Reasonable Accommodation or Modification** request.

**CAT Tip:** Calling the Renter's Rights Hotline is just the first step. You may have to make several phone calls in order to get the help you need!

Legal Aid provides legal assistance to low-income people and usually prioritizes eviction, emergency, and fair housing issues.

See the Resource Guide for contact info.

The Fair Housing Council of Oregon (FHCO) is an organization that enforces fair housing laws that protect people from discrimination, and ensures that everyone has an equal right to housing. You can contact FHCO if you think you have been treated unfairly based on your protected class such as disability, gender, sexual orientation, etc. See the Resource Guide for contact info.

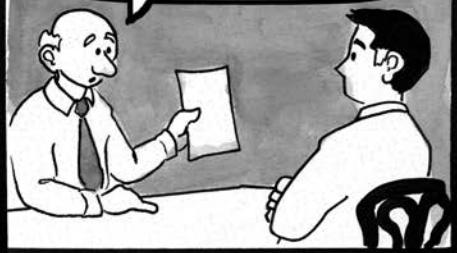
THE RENTER'S RIGHTS HOTLINE REFERS STEVEN TO LEGAL AID, AND TO THE FAIR HOUSING COUNCIL OF OREGON

I'LL WRITE AN OFFICIAL LETTER TO YOUR LANDLORD.



BILL THE LANDLORD CONSULTS HIS LAWYER.

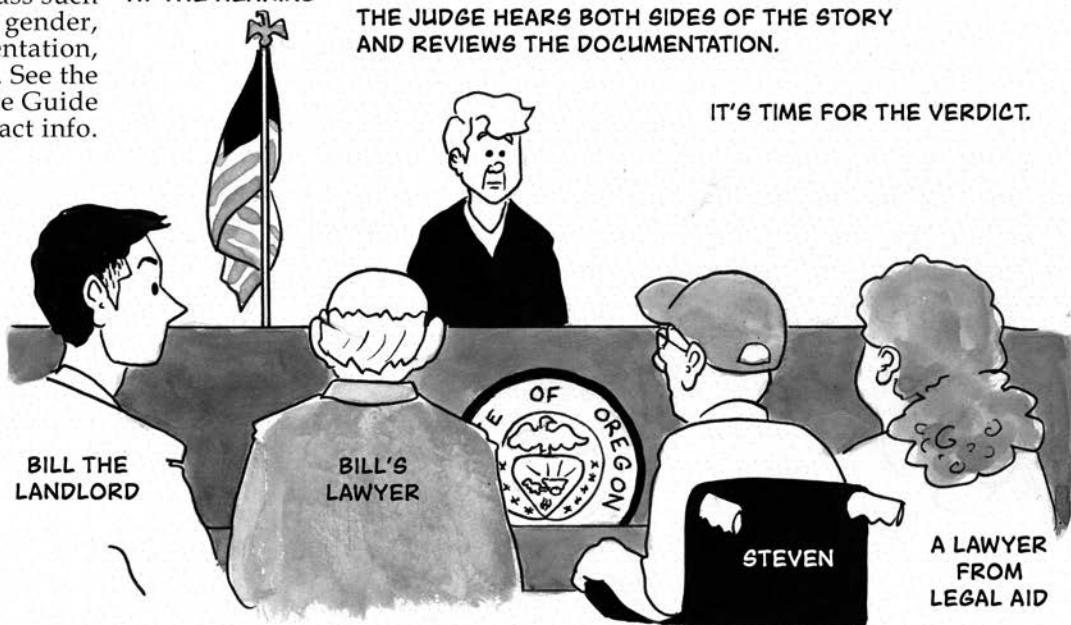
THE LETTER SAYS THAT IF YOU PROCEED WITH YOUR EVICTION NOTICE, YOU COULD BE IN VIOLATION OF THE FAIR HOUSING LAW.

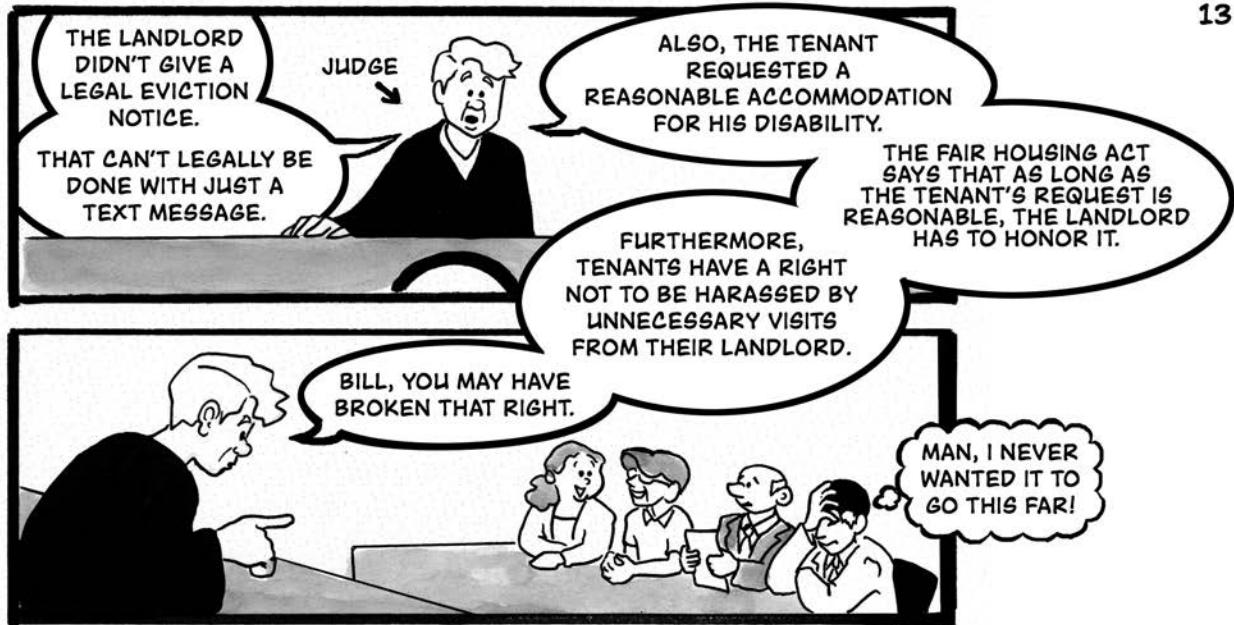


AT THE HEARING

THE JUDGE HEARS BOTH SIDES OF THE STORY AND REVIEWS THE DOCUMENTATION.

IT'S TIME FOR THE VERDICT.

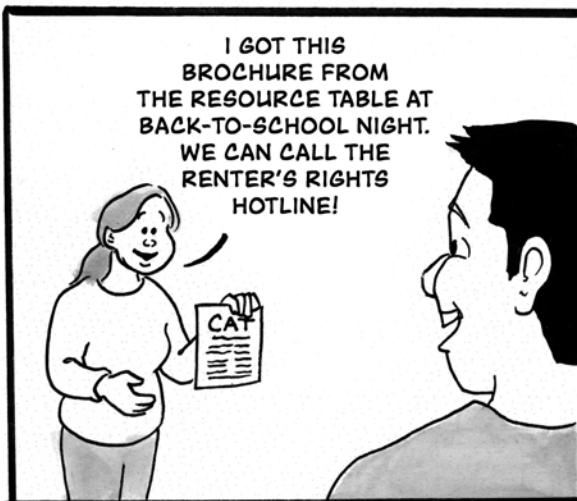
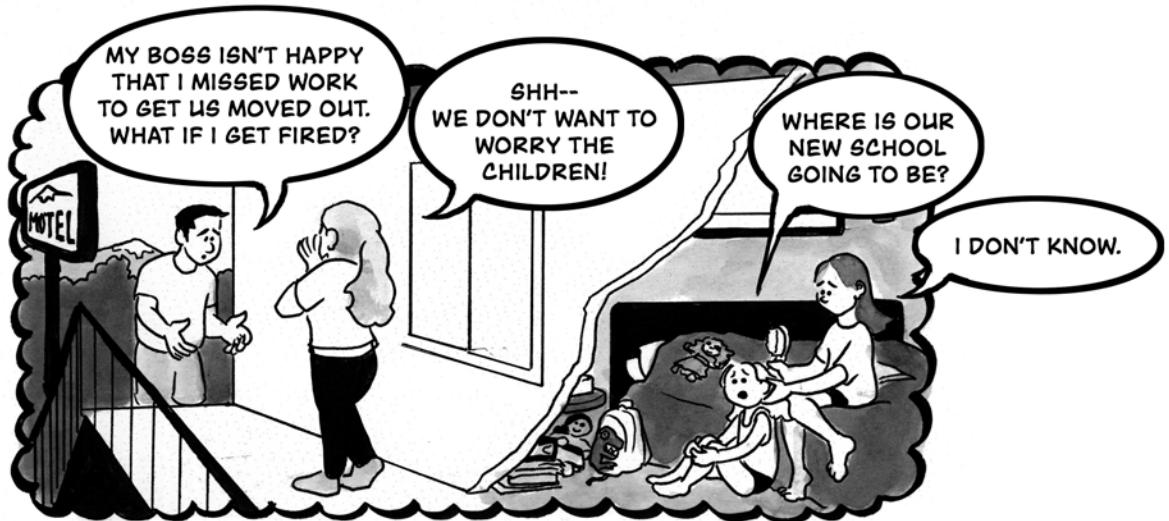




SEVERAL MONTHS LATER...



THE HERNANDEZ FAMILY IS ABOUT TO FACE A  
NO-CAUSE EVICTION



Losing the apartment led to many other problems. They had to stay in a cheap motel across town. The parents' commute became twice as long, so their transportation costs doubled.

There was nowhere for the children to play outdoors, and no-one to take them to school.

Renter's Rights Hotline:  
503.288.0130  
Mondays, Wednesdays,  
Fridays and Saturdays,  
1-5pm  
Tuesdays 6-8pm

SO THAT'S WHAT HAPPENED LAST TIME, AND WE'RE AFRAID IT WILL HAPPEN AGAIN!



I UNDERSTAND YOUR FEARS.

IF A TENANT IS ON A MONTH-TO-MONTH LEASE, THE LANDLORD DOESN'T HAVE TO PROVIDE A REASON FOR AN EVICTION.

HOWEVER, IT IS CONSIDERED RETALIATION IF THE LANDLORD EVICTS A TENANT BECAUSE THE TENANT ASKS FOR REPAIRS.

RETALIATION IS ILLEGAL, BUT IS VERY HARD TO PROVE.



CAT TIP: PUT ALL OF YOUR ISSUES AND COMMUNICATION WITH YOUR LANDLORD IN WRITING. THAT WAY YOU WON'T SAY THE WRONG THING, OR FORGET TO INCLUDE SOMETHING IMPORTANT.

WE'LL ASK FOR THE BATHTUB TO BE UNCLOGGED, AND THE LOCK ON THE WINDOW TO BE FIXED. ANYTHING ELSE?



NOT RIGHT NOW. I KNOW IT'S NOTHING BIG, BUT WE SHOULDN'T BE AFRAID TO ASK FOR REPAIRS.

I'LL TAKE THE MAINTENANCE REQUEST TO THE POST OFFICE TOMORROW.





DOCUMENTATION IS THE EASIEST  
AND MOST EFFECTIVE WAY  
TO PROTECT YOUR RIGHTS  
AS A RENTER.



REMEMBER

1. ALWAYS COMMUNICATE IN WRITING
2. KEEP COPIES FOR YOUR RECORDS
3. SEND LETTERS BY US MAIL, AND  
KEEP A RECEIPT.



LATER THAT NIGHT...

REMEMBER WHAT CAT SAID.  
WE MAY BE DOING EVERYTHING  
RIGHT, BUT WE STILL NEED  
TO DOCUMENT IT IN WRITING.



CAT Tip: Do not withhold rent as a means to getting repairs done, unless you are advised to do so by an attorney! It might leave you vulnerable to eviction for non-payment of rent.

An attorney can also talk to you about collecting money for the time your place was not in good repair.

CAT Tip: Ask CAT for a sample letter if you aren't sure what to say!

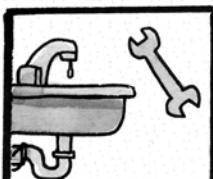
CAT Tip: If you need a translator, you must request translation services at least 4-5 days beforehand. Do not appear in court without a lawyer present!



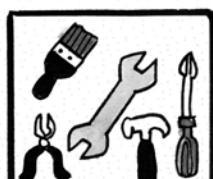
### IN CONCLUSION:



HAVING TO RELOCATE SUDDENLY CAN IMPACT EVERY PART OF A FAMILY'S LIFE.



BECAUSE OF NO-CAUSE EVICTIONS, RENTERS ARE AFRAID TO ASK FOR REPAIRS, AND ARE LIVING IN SUBSTANDARD HOUSING



WHEN REPAIRS AREN'T MADE, IT CAN CAUSE FURTHER DAMAGE LATER ON.



BUILDINGS IN DISREPAIR ARE A HEALTH RISK, ESPECIALLY FOR CHILDREN AND THE ELDERLY.



PROPERLY DOCUMENT ALL COMMUNICATION WITH YOUR LANDLORD. SAVE COPIES OF EACH LETTER, AND SEND LETTERS THROUGH FIRST CLASS MAIL. KEEP ALL RECEIPTS.



THIS IS YOUR BEST CHANCE OF WINNING IF YOU HAVE TO GO TO COURT!

AT THE CAT ANNUAL MEMBERSHIP MEETING...

YOU LOOK FAMILIAR.  
DIDN'T OUR SONS  
GO TO THE SAME SCHOOL?

YES! LAST YEAR,  
BEFORE WE MOVED.  
WE COULDN'T AFFORD  
THE RENT INCREASE.

ARE YOU STILL IN  
THE SAME NEIGHBORHOOD?



NO, WE ALSO  
HAD TO MOVE.  
IT'S BEEN TOUGH.

THE KIDS DIDN'T WANT  
TO LEAVE THEIR FRIENDS  
AND TEACHERS...

BUT NOT MUCH  
IS AFFORDABLE!  
YOU EITHER HAVE TO  
MOVE FARTHER OUT  
THAN YOU WANT TO...

OR TRY TO GET  
ON A WAITLIST  
FOR SUBSIDIZED  
HOUSING...

OF COURSE  
NOT!



ANYWAY,  
IT'S GOOD TO KNOW  
WE'RE NOT ALONE.

YOU'RE RIGHT!  
EVERYONE HERE HAS  
BEEN THROUGH A LOT...



BUT EVERYONE  
ALSO SEEMS READY TO  
TAKE ACTION AND FIGHT  
FOR THEIR RIGHTS!



IN THE FOLLOWING MONTHS, THE TENANTS BECOME MORE INVOLVED WITH HOUSING JUSTICE WORK.



AND ON THE STEPS OF THE OREGON STATE CAPITOL, THE TENANTS GATHER.



# RESOURCE AND REFERRAL LIST

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## Rent Assistance – Shelter – Emergency Services

**211** is a one-stop shop for all the community resources and services in Portland and throughout Oregon. Dial 211 in the Portland metro area or visit [211info.org](http://211info.org) to search for rent assistance, shelters and emergency services.

**Housing Connections** is part of 211. Visit [housingconnections.org](http://housingconnections.org) to search for affordable, accessible housing in the Portland metro area. Access helpful resources for people with rental barriers such as Rent Well and Ready to Rent classes.

**The Rose City Resource Guide**, published by **StreetRoots**, is a guide to public services and assistance programs throughout metro Portland. [www.rosecityresource.org](http://www.rosecityresource.org).

## Legal Assistance

**Oregon Law Help and Legal Aid Services of Oregon** – Questions and answers about tenant-landlord law in easy to understand language. Portland regional office: 503-224-4086 or 1-800-228-6958.

**Fair Housing Council of Oregon** – Can help with fair housing complaints and investigations. 503-223-8197 x 2.

**Oregon State Bar** – Ask for a lawyer specializing in Landlord-Tenant law. **The Modest Means** program will refer low-income folks to low-cost lawyers. 503-684-3763 or 1-800-452-7636.

**Disability Rights Oregon** – Legal help for people with disabilities. 503-243-2081 or 1-800-452-6294.

**Bureau of Oregon Labor and Industry (BOLI)** – can help tenants file a formal fair housing complaint. 971-673-0761.

## City and County Inspections Programs – If your landlord refuses to make repairs

**Portland Neighborhood Inspections Program** – Enforces Title 29, Portland's housing code. 503-823-2633.

**Gresham Rental Housing Inspection Program** – The City conducts random mandatory inspections throughout the year on residential rental properties within Gresham. 503-618-2248.

**Beaverton Code Services** – Enforces Beaverton housing code. 503-526-2270.

tours

books

youth programs

more!



[knowyourcity.org](http://knowyourcity.org)

Join us! Learn your rights!  
Stand up for housing justice!  
[www.OregonCAT.org](http://OregonCAT.org)

**Become a Member. Donate. Volunteer.**  
[Info@OregonCAT.org](mailto:Info@OregonCAT.org) 503.460.9702 x. 2



Statewide Renters Rights Hotline: over 40,000 tenants served

Interactive Renters Rights Workshops

Leadership Development Trainings

Letter Writing Clinics

**Community Alliance of Tenants**

Tenant Education + Tenant Advocacy = Tenant Power!